

Practitioner's Docket No. 1392/10/20 PCT/US  
Serial No. 10/533,176

**CHAPTER II**

**IN THE UNITED STATES ELECTED OFFICE (EO/US)**

PCT/US03/41098	23 December 2003 (23.12.03)	26 December 2002 (26.12.02)
International Application No.	International Filing Date	Priority Date Claimed

**STRESS-RELATED POLYPEPTIDES AND USES THEREFOR**  
Title of Invention

**Syngenta Participations AG; Cooper, Bret**  
Applicant(s)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTENTION: EO/US

**COMPLETION OF FILING REQUIREMENTS  
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE  
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371**

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

**EXPRESS MAILING UNDER 37 C.F.R. § 1.10\***

*(Express Mail label number is mandatory.)*  
*(Express Mail certification is optional)*

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date  
April 12, 2006 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No.  
EV771300767US.

Stacie H. Boswell

Date: April 12, 2006

*Stacie H. Boswell*  
*Signature of person certifying*

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

## DECLARATION OR OATH

I. The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

### FEES

II.

1. Additional Page Fee	\$2,250.00
2. Surcharge fees	
Surcharge for filing the oath or declaration later than thirty months from the priority date pursuant to § 1.495(c):	\$130.00
<b>Total Fees</b>	<b>\$2,380.00</b>

### EXTENSION OF TIME

III. The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### TOTAL FEE DUE

IV. The total fee due is:

Completion fee(s)	\$2,380.00
<b>TOTAL FEE DUE</b>	<b>\$2,380.00</b>

### PAYMENT OF FEES

V.

A check in the amount of \$2,380.00 is enclosed herewith and the Commissioner is hereby authorized to charge any additional fees required by this paper or credit any overpayment to Deposit Account Number 50-0426.

A duplicate of this request is attached.

Date: 12 April 2006

Reg. No.: 39,395  
Tel. No.: 001-919-493-8000  
Customer No.: 25297

04/17/2006 GFREY1 00000112 10533176

01 FC:1617  
02 FC:1601

130.00 0P  
2250.00 0P

  
\_\_\_\_\_  
Signature of Practitioner

Arles A. Taylor, Jr.  
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UNITED STATES OF AMERICA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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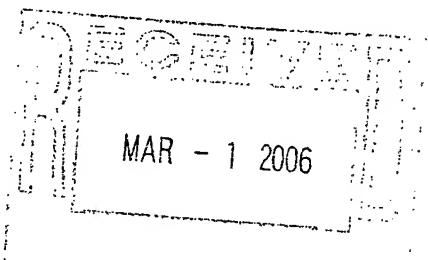
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,176	Bret Cooper	1392/10/20 PCT/US
		INTERNATIONAL APPLICATION NO.
		PCT/US03/41098
25297	I.A. FILING DATE	PRIORITY DATE
JENKINS, WILSON & TAYLOR, P. A.	12/23/2003	12/26/2002
3100 TOWER BLVD		
SUITE 1200		
DURHAM, NC 27707		
CONFIRMATION NO. 2356		
371 FORMALITIES LETTER		
*OC000000018049439*		

Date Mailed: 02/23/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/29/2005
- Copy of the International Search Report filed on 04/29/2005
- Copy of IPE Report filed on 04/29/2005
- Information Disclosure Statements filed on 05/31/2005
- Biochemical Sequence Diskette filed on 04/29/2005
- Oath or Declaration filed on 04/29/2005
- Biochemical Sequence Listing filed on 04/29/2005
- U.S. Basic National Fees filed on 04/29/2005
- Specification filed on 04/29/2005
- Claims filed on 04/29/2005
- Abstracts filed on 04/29/2005
- Drawings filed on 04/29/2005
- Paper nucleotide sequence listings filed on 04/29/2005



323; 423; 523;  
 623; 723; 823; 06  
 AAT/ CPP  
 1392/10/20 PCT/US  
 FILED BY: AMD  
 DATE: 3.2.06

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$2380** for a Large Entity:

• **\$130 Surcharge.**

- The specification and drawings contain more than 100 pages. Applicant owes **\$2250** for **450** pages in excess of 100 pages for a non-small entity.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

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Telephone: (703) 308-9140 EXT 209

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,176	PCT/US03/41098	1392/10/20 PCT/US

FORM PCT/DO/EO/905 (371 Formalities Notice)